

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	:	Case No. 1:19 CR 522
	:	
Plaintiff,	:	Judge James S. Gwin
	:	
-vs-	:	
	:	
BLAKE JENKINS,	:	DEFENDANT'S MOTION TO
	:	MODIFY BOND CONDITIONS
Defendant.	:	

Now comes the Defendant, Blake Jenkins, by and through undersigned counsel, Justin M. Weatherly, Esq and Michael Gabelman, Esq., and herein hereby respectfully moves this Honorable Court to modify the conditions of the Defendant's bond pending his sentencing report date for the reasons more fully explained in the attached Brief in Support, incorporated herein by reference.

Respectfully Submitted,

/s/ Justin M. Weatherly, Esq.
JUSTIN M. WEATHERLY, Esq.
Reg. No. 0078343
MICHAEL GABELMAN, Esq.
Reg. No. 0090195
Henderson, Mokhtari & Weatherly
1231 Superior Avenue East
Cleveland, Ohio 44114
(216) 774-0000
jw@hmdlawfirm.com
mg@hmdlawfirm.com

BRIEF IN SUPPORT

On or about February 25, 2021 the Defendant, Blake Jenkins was sentenced by the Honorable Judge James S. Gwin to a term of sixty (60) months incarceration at a Federal Institution. The Defendant is required to surrender for service of sentence at the time and institution designated by the Bureau of Prisons or if the Bureau of Prisons fails to provide reporting instructions, the Defendant is ordered to surrender to the United States Marshal in Cleveland, Ohio on May 24, 2021 at 12:00 p.m. As of the date of filing this motion the Defendant has never failed to report to pretrial services, remains drug free, and has committed zero violations of his pretrial release.

A current condition of bond requires the Defendant to participate in the home detention component of location monitoring technology at the discretion of the pretrial services officer. The Defendant is grateful to this Honorable Court allowing him to spend a few extra months with his family before incarceration. However, due to the technology of the monitoring device, the Defendant is unable to go into his basement beyond 8:00 p.m. The Defendant therefore respectfully requests this Honorable Court for an amendment of his bond conditions that would allow him to spend time in his basement beyond 8:00 p.m. The main reason being is that his living area in his house is located in his basement. The current electronic device does not pick up signal in his basement and the Defendant does not want to be in violation of his bond conditions prior to incarceration.

Further, the Defendant is restricted in his travels pending incarceration. It is respectfully requested that this Honorable Court amend the bond conditions in a way that would allow the Defendant to go on an in-state vacation with his family for a weekend. The Defendant has

stipulated to counsel that he will report to pretrial services with specified dates and locations once known. The Defendant is going to be incarcerated no later than May 24, 2021 for sixty (60) months. The Defendant has a young and loving family. A final vacation would not only mean the world to the Defendant, but his family would also be grateful to this Honorable Court in allowing him to have a furloughed weekend. The Defendant has fully complied with all requirements set forth by this Honorable Court and will continue to do so until his sentence begins. He merely wishes to spend as much time as possible with his family before his sixty-months start in a Federal Institution.

WHEREFORE, the Defendant, Blake Jenkins, by and through undersigned counsel, Justin M. Weatherly, Esq., and Michael Gabelman, Esq., and for the foregoing reasons herein hereby respectfully moves this Honorable Court for an Order modifying the Defendant's conditions of bond to allow him to spend time in his basement past 8:00 p.m. and for him to enjoy one last in-state family vacation prior to his sixty-months incarceration.

Respectfully Submitted,

/s/ Justin M. Weatherly, Esq.
JUSTIN M. WEATHERLY, Esq.
MICHAEL GABELMAN, Esq.
Counsel for Defendant, Blake Jenkins

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically delivered to the following on this 4th day of March 2020:

Jason Matthew Katz, Esq.
Office of the U.S. Attorney – Youngstown
Northern District of Ohio
325 City Centre One
100 East Federal Plaza
Youngstown, Ohio 44503

Vasile C. Katsaros, Esq.
Office of the U.S. Attorney – Cleveland
Northern District of Ohio
801 Superior Avenue, West Suite 400
Cleveland, Ohio 44113

James L. Morford, Esq.
Office of the U.S. Attorney – Cleveland
Northern District of Ohio
801 Superior Avenue, West Suite 400
Cleveland, Ohio 44113

/s/ Justin M. Weatherly, Esq.
JUSTIN M. WEATHERLY, Esq.
MICHAEL GABELMAN, Esq.
Counsel for Defendant, Blake Jenkins